

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA	: CASE O: 1:19-cr-012-1
Plaintiff,	: (Judge Susan Dlott)
	:
vs.	:
	:
RYAN KING	: MOTION FOR DE NOVO REVIEW
Defendant,	: OF DETENTION

The Defendant, Ryan King, hereinafter referred to as “King” asks this Court to review the finding of the magistrate ordering pretrial detention. The court’s finding was against the spirit of U.S.C. §3142(g).

From a review of the nature and circumstances of the offense it is clear from the indictment and discovery reviewed there was nothing more than loose talk. The term “militia” has come to have a negative connotation. King is not involved in a militia. He is a survivalist who simply wishes to be prepared if doomsday should arrive. There is no indication there was any discussion about specific targets. Mr. Glassman his informed counsel, the only discussions were allegedly about how to build these devices and the damage they could do. A review of the “Sheepdogs” Facebook Page has no negative or anti-government sentiments posted. The only postings were social in content. Another announced weekend event covering shooting and survival techniques. Furthermore, the organization’s website also does not contain any anti-American rhetoric. There are no references to hate-groups and no indication of associations with any of the white nationalist organizations we have become familiar with over the last few years.

Weight of the Evidence

The tapes reveal only discussions. As far as can be discerned from the discovery no explosive devices were completed or found by law enforcement. King is merely a survivalist planning for what he believes to be an uncertain future. The history and characteristics of King are also to be taken into account under 3142(g). King is 37 years old. He has been a resident of the Southern District of Ohio for the vast majority of his life. He was principally home schooled but did attend Middletown Christian. He did receive a high school diploma. Next, he attended Crown College in Tennessee where he studied Bible and trained for Missionary work. He spent one year at Grace Baptist Bible Institute in Middletown. Brought up Baptist, he and his parents spent 1997-99 working as missionaries in the Ukraine. That portion of the Ukraine has been annexed by Russia. He has not returned to the Ukraine since 1999. King's father passed away in 2008 but his mother still resides in the area. King continues to be involved in church activities. He attends the Beruchah Baptist Church. The Pastor, Lamar Ferrell was present at the original hearing to offer his support. King has no health or mental issues. He is not presently taking any medications. He has never experimented with or used controlled substances.

His wife, Shannon, was also present at the original hearing. He has known her for 18 years and she has strong ties to the community. She is from Germantown, Ohio. They have been married (10) years. They have 2 children, boys Derrick (11) and JD (7), who they hope to adopt. The boys are brothers and it is important they stay together. Shannon is employed as a hair stylist. She works in Franklin, Ohio. They own their home, which is mortgaged through Chemical Bank. The home is located at 765 So. Main

Street, Franklin, Ohio. They have owned the home for (3) years. Together, they are able to make the mortgage. If King continues to be incarcerated it will be very difficult for her to meet the payment obligation. They could lose their home.

King is employed as an expert in installing security systems. His business is Strong Town Security. The income is inconsistent, some months are feast while others are famine. As a result of his detention he has lost two jobs. Right now, there are two potential contracts he could obtain. In addition, King has current customers whose security systems require continuing maintenance. These are both commercial and residential vendees. He handles the bids, contract and billing. He usually obtains major projects 8 or 9 times a year. King's only criminal involvement was a disorderly conduct in Middletown in 2004.

The Government asked for a pre-trial detention because count 2 carries a maximum sentence of ten years. A factor to take into account is the guideline calculations for this conduct is significantly lower than that term years.

King no longer possesses a valid passport, his having expired. He will agree not to apply for a new one while this matter is pending.

There is nothing to indicate there is clear and convincing evidence King is a danger to the community. He will agree to have no contact with his co-defendant, Mr. Goodman or any other member of the "Sheepdogs" while this case is pending.

A review of the detention order reflects the Magistrate was concerned with the firearms and ammunition found at King's residence. First, all of these weapons were legally purchased. Nothing was stolen and nothing was illegal to possess. Since this was a concern, all of the weapons have been sold and are no longer in the house.

Finally, after an exhaustive interview, pretrial services recommended King be released on his own recognizance with specific conditions.

For all of these reasons counsel requests King be release on his own recognizance.

Respectfully submitted,

/s/ HAL R. ARENSTEIN

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CERTIFICATE OF SERVICE

I do certify that the foregoing was filed with the Clerk of Court using the CM/ECF system that will send notifications to all parties involved this 4th day of April 2019.

/s/ HAL R. ARENSTEIN

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